

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOSHUA WILLIAM JACKSON,
ID #54191-177,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No. **3:22-CV-778-L-BH**

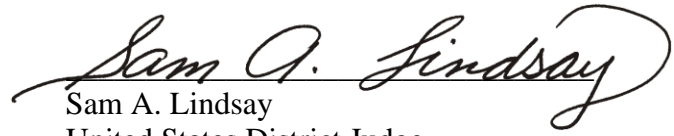
ORDER

The Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 4) was entered on April 13, 2022, recommending that Movant’s *Motion for Order Vacating Judgement [sic] Order or Sentence Under Common Law Writ of Audita Querela/ Coram Nobis/ Coram Vobis or Alternative Writs Under the All Writs Act 28 U.S.C. § 1651* (“Motion”), filed on April 5, 2022 (Doc. 3), be construed as a successive 28 U.S.C. § 2255 motion to vacate, set aside, or correct a federal sentence and transferred to the United States Court of Appeals for the Fifth Circuit. *See* 28 U.S.C. § 2244(b)(3). No objections to the Report were filed as of the date of this order, and the deadline for filing objections has expired.

When a petition is deemed successive, the district court lacks subject matter jurisdiction unless a three-judge panel of the United States Court of Appeals for the Fifth Circuit allows the successive petition to proceed. After reviewing the pleadings, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court.

Accordingly, the court **directs** the clerk of the court to **transfer** the Motion in this case to the Fifth Circuit for determination.

It is so ordered this 27th day of May, 2022.


Sam A. Lindsay
United States District Judge